

## Part One – Interim Partial Consent Decree Status Summary Report Hamilton County/City of Cincinnati, Ohio

### IV. COMPLIANCE/NON-COMPLIANCE SUMMARY

Per *Section 9.A* of the SSO CD, MSD provides the following summary data:

#### COMPLIANCE

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
III.F	Binding Effect	MSD is in compliance with the requirements under this section.

#### NON-COMPLIANCE

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
--		MSD had no reportable instances of Non-Compliance in Q4 2007.

### V. REMEDIAL MEASURES ANTICIPATED COMPLETION DELAY SUMMARY

Per *Section 9.A* of the SSO CD, MSD provides the following summary data:

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
--		MSD had no reportable anticipated delays in completion of remedial measures identified in Section 6 and 7 of the SSO CD in Q4 2007.

### VI. MONTHLY SUMMARIES OF SSO INFORMATION AND CERTIFICATIONS SUBMITTED TO OEPA

Per *Section 9.B* of the SSO CD, attached to this report are the SSO monthly summaries of information and certifications previously submitted to the OEPA pursuant to the SSO Monitoring and Reporting Plan and the Short Term Adequate Capacity Plan. See PART ONE, ATTACHMENT G.

## **Part Two**

# **Global Consent Decree**

Hamilton County  
(Metropolitan Sewer District)  
City of Cincinnati

## **Quarterly Report**

## Part Two – Global Consent Decree Status Summary Report Hamilton County/City of Cincinnati, Ohio

### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS

#### CIP Projects (EXHIBIT 1)

Per *Section 6* of the Global CD, MSD provides the following summary data:

CSO NUMBERS	PROJECT DESCRIPTION	Substantial Completion of Construction (All dates are Dec 31)	Drainage Basin	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
179	Scarlet Oaks CSO Improvements, CSO #179, CSO Modification – Contract B	2004	Mill Creek	Construction substantially completed 9/10/03. (Sanitary Sewer 2948, CIP 85-58-06-02)
419	Tide gate replacement	2004	Mill Creek	Tide gate reinstalled April 2001. (Sanitary Sewer 5290, CIP 00-49) Protective bumpers to prevent excessive gate rotation were installed during the 3 <sup>rd</sup> quarter of 2004.
3	CSO Modification – Contract A; CSO # 3 – HW/DW	2005	Mill Creek	Construction completed 12/23/05. (Sanitary Sewer 3150, CIP 85-58-06-01, Contract A)
4	CSO Modification – Contract A; CSO # 4 - HW/DW	2005	Mill Creek	Construction completed 10/11/05. (Sanitary Sewer 2948, CIP 85-58-06-01, Contract A)
461	Tide gate replacement	2005	Mill Creek	Construction completed 5/16/05. (Sanitary Sewer 5290, CIP 00-49)
451	CSO Modification – Contract A; CSO # 451; HW/DW	2005	Mill Creek	Construction completed 4/01/05. (Sanitary Sewer 2948, CIP 85-58-06-01)
456-460, 658	Eastern Avenue – Collins to Bayou – Express Sewer; Phase 2	2005	Mill Creek	Construction completed 11/18/05. (Sanitary Sewer 5021, CIP 99-58)
487	Ross Run Grit Pit	2005	Mill Creek	Construction completed 6/23/04. (Sanitary Sewer 3263, CIP 90-26)

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### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS *(cont.)*

#### CIP Projects (EXHIBIT 1) (cont.)

CSO NUMBERS	PROJECT DESCRIPTION	Substantial Completion of Construction (All dates are Dec 31)	Drainage Basin	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
557	CSO # 557 Elimination	2005	Little Miami	Construction completed 11/08/05. (Sanitary Sewer 5335, CIP 02-05)
29	Kroger's – Spring Grove/Mitchell Sewer Separation – CSO #29 Elimination (Mitchell Avenue); SS# 4674	2006	Mill Creek	Construction completed on 2/1/05. (Sanitary Sewer 4674, CIP 97-76)
86	CSO HW/DW Regulator Mods-Little Miami Basin; CSO #86 Archer Street; HW/DW	2006	Little Miami	Construction completed 8/23/06. (Sanitary Sewer 3591, CIP 93-02-06)
89	Montana Avenue Sewer Separation	2006	Mill Creek	Construction completed 11/18/05. (Sanitary Sewer 4695, CIP 02-16)
472, 656	Beechmont Sluice Gate	2006	Little Miami	Construction completed 10/03/06. (Sanitary Sewer 4876, CIP 98-08)
	Sycamore WWTP HRTU	2007	Sycamore	Construction is approximately 89% complete as of December 31, 2007. The approved extended substantial completion of construction date is March 1, 2008. (Sanitary Sewer 5174, CIP 00-16)
109, 151, 162, 165	Ludlow Run Sewer	2007	Mill Creek	Construction completed 3/28/06. (Sanitary Sewer 2160, CIP 83-10)
437	West Third Street Sewer Separation; CSO 437 elimination; Phase 3	2007	Mill Creek	Sewer installation completed. Abandoning CSO 437 and relocation of the second tap was completed on 12/20/07. (Sanitary Sewer 4986, CIP 98-91)
450	CSO # 450 Elimination (Butler Street)	2007	Mill Creek	Sewer installation completed. Demolition of building with remaining sanitary tap completed. Plugging tap and abandonment of CSO 450 completed on 10/31/07. (Sanitary Sewer 5492, CIP 04-05)

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### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS *(cont.)*

#### CIP Projects (EXHIBIT 1) *(cont)*

CSO NUMBERS	PROJECT DESCRIPTION	Substantial Completion of Construction (All dates are Dec 31)	Drainage Basin	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
467-469, 657	Eastern and Delta Sewer Separation Phase 1 - HW/DW	2007	Little Miami	Currently in easement acquisition. Final appropriations of needed easements complete in February. The design of a Real Time Control Plan project, a sluice gate at the WWTP Four Mile Pump Station, has been included with this project. In addition, it has been determined that the construction of new storm sewers for street load sewer separation, followed by private property sanitary/storm flow separation, is the preferred alternative for sewer separation. Therefore, additional easement acquisition is required and special legislation is necessary to allow public funding to be used for sewer separation work on private property. This separation work has been moved to Phase 2 because of complications related to easements and rights of entry. MSD requested a time extension on 6/27/06; that request was granted on March 29, 2007 extending the substantial completion date for Phase 1 to March 23, 2010. A PTI for this phase was approved on July 25, 2007. The Phase 1 work is planned to be put out for bid in the First Quarter of 2008 with a 24-month duration and a completion date in Second Quarter of 2010. Details of this potential delay are included in Section V of this report. (Sanitary Sewer 4814, CIP 97-88-01)
467-469, 657	Eastern and Delta Sewer Separation Phase 2 - HW/DW	2008	Little Miami	Easement plats based on 90% Design plans were submitted in the 4 <sup>th</sup> quarter and ROW acquisition work has started on Phase 2. Revisions of the design plans to accommodate newly installed utilities and to comply with the recommendations in the Wet Weather Improvement Plan are still underway. MSD requested a time extension for this Phase of work on 6/27/06 extending the substantial completion date for Phase 2 to November 5, 2009. (See project description for the Eastern and Delta Sewer Separation Phase 1 – HW/DW). The Eastern and Delta Sewer Separation project requires diversion of sanitary flows from the existing combined sewer in Columbia Parkway. The sewer is combined due to sanitary sewer connections from homes along a private Drive off of Aspasia Street and from homes along Ononta Avenue, the design of the flow diversion for these properties is to be moved from Phase 2 design to Phase 4 design to allow further consideration of the alternate means to separate the Columbia Parkway sewer so as not to affect delivery of the Phase 2 design work. Phase 2 work is projected to be completed in the second quarter of 2011. Details of the potential delay are included in Section V of this report. (Sanitary Sewer 4814, CIP 97-88-02).

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### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS *(cont.)*

#### CIP Projects (EXHIBIT 1) (cont)

CSO NUMBERS	PROJECT DESCRIPTION	Substantial Completion of Construction (All dates are Dec 31)	Drainage Basin	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
467-469, 657	Eastern and Delta Sewer Separation Phase 3 - HW/DW	2009	Little Miami	Design legislation was approved on 4/20/05. The project description as presented in the Global Consent decree includes Phase 4 scope of work. Phase 3 is currently in the 90% design phase and Phase 4 design 30% submitted on December 31, 2007. MSD requested a time extension for this Phase of work on 6/27/06 extending the substantial completion date for Phase 3 to November 10, 2010. (See project description for the Eastern and Delta Sewer Separation Phased 1 – HW/DW). Phase 3 and Phase 4 work is projected to be completed in the second quarter of 2012. Details of the potential delay are included in Section V of this report. (Sanitary Sewer 4814, CIP 97-88-03).
223, 408, 410-416, 541, 654	Relocation of interceptor in River Road from Ohio River to River Road – West.	2009	Muddy Creek	Design is in the 95% phase for Phase 1 – West Half of the project. PTI application submittal on 10/31/07. Comments to PTI received and currently addressing comments. (Sanitary Sewer 4884, CIP 98-19-01).
223, 408, 410-416, 541, 654	Provide HW/DW protection or eliminate by separation.	2010	Muddy Creek	The design of CSO relocations or eliminations is included with the interceptor relocation designs (West & East). Design for the West half CSOs. PTI application submittal on 10/31/07 for CSO 541, 408, 654, 223 and 410. Comments to PTI received and currently being addressed. Presently in easement acquisition. Design for the East half CSOs is currently 30% complete. Details regarding a potential delay in completion of the East Half CSOs are included in Section V of this report. (Sanitary Sewer 5382, CIP 01-14-01&02).
223, 408, 410-416, 541, 654	Relocation of interceptor in River Road from Ohio River to River Road – East.	2010	Muddy Creek	Design is in the 30% phase. Pump station at Idaho Street will be eliminated with a deeper interceptor. Details regarding a potential delay in completion of the East Half CSOs are included in Section V of this report. (Sanitary Sewer 4884, CIP 98-19-02).
223, 408, 410-416, 541, 654	Relocation and replacement of four (4) pump stations.	2010	Muddy Creek	Design is in the 60% phase for the first Pump Station (EBMC PS No. 1) on the West half of the interceptor relocation and PTI application for PS No. 1 submitted. The re-evaluation of a deeper sewer option and elimination of the most upstream pump station near Idaho St (EBMC PS No. 3) was completed and PS No. 3 is no longer necessary. Details regarding a potential delay in completion of the East Half CSOs are included in Section V of this report. (Sanitary Sewer 4884, CIP 98-19-03).

Construction Complete means substantially complete – pipe material and appurtenants have been installed, tested and accepted and operational.

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**I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS** *(cont.)*

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
V	Definition	MSD reports there will be no changes to “Current Permits” definitions until June 2008.

## Part Two – Global Consent Decree Status Summary Report Hamilton County/City of Cincinnati, Ohio

### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS *(cont.)*

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
VII	Long Term Control Plan Update	<p>Per Section 7 and Exhibits: 2, 3, 4 of the Global CD, MSD provides the following summary data: A. Long Term Control Plan Update Report:</p> <ul style="list-style-type: none"> <li>- <b>Public Participation Program (Exhibit 2)</b> Implementation of Public Participation Program: Steering Committee formed. First Meeting – September 2, 2004. Second Meeting – October 14, 2004. Third Meeting – January 13, 2005. Fourth Meeting – March 30, 2005. Fifth Meeting – May 25, 2005. Sixth Meeting June 29, 2005. Seventh Meeting October 20, 2005. Eighth Meeting December 15, 2005. Ninth Meeting May 16, 2006. Public Workshop (Public Education) – October 27, 2005 Public Workshops – November 15 2005, November 16 2005, November 29, 2005</li> <li>- <b>Public Outreach:</b> The two aspects of public outreach on the LTCP Update, Public Education and Public Involvement, were initiated in the fourth quarter of 2005. <b>Public Education meeting:</b> Thursday, October 27, 2005, Wyoming City Hall attended by 60 citizens, consisted of presentation, question and answer session, and visual displays. <b>Public Involvement meetings:</b> November 15, 2005, Eastern Hamilton County; November 16, 2005, Western Hamilton County; November 29, 2005, Central Hamilton County, attended by 166 citizens, consisted of presentations, Q&amp;A, and visual displays. Publicity for all meetings was via press releases, local newspaper advertising, public library, MSD and local government web sites, and mailings to elected and appointed officials in the region. Information packets were made available to citizens attending the meetings, and at local libraries, electronically on the web, and are available on request. Input was sought from citizens through questionnaires, priority sheets, as well as comments by citizens being noted directly on displays or being recorded by MSD representatives.</li> <li>- <b>Public Comment Open Houses:</b> North Central Hamilton County; April 25, 2006, Eastern Hamilton County; April 26, 2006, Western Hamilton County; April 27, 2006, South Central Hamilton County; May 3, 2006. Elements of the draft Wet Weather Program were presented. Comments were invited, received, and considered.</li> <li>- <b>Monitoring and Modeling work Plan (Exhibit 3):</b> Water Quality Modeling work continued in the Second Quarter of 2006. The LTCP Update was completed and sent to the Government on June 22, 2006.</li> <li>- <b>Developing Long Term Control Plan Update Report (Exhibit 4):</b> The Long Term Control Plan Update Report was sent to the Government on June 22, 2006 as part of the MSD Wet Weather Improvement Plan.</li> <li>- <b>Regulator Update Meetings:</b> April 8, 2004, October 13, 2004, December 10, 2004, January 14, 2005, March 31, 2005, June 8, 2005, and Nov. 16, 2005, February 13, 2006, May 23, 2006.</li> </ul>



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**I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS** *(cont.)*

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
VII	Long Term Control Plan Update	B. Modification of Long Term Control Plan Update: No activity undertaken during Q4 2007.
		C. Evaluation and Correction Period: No activity undertaken during Q4 2007.
		D. Compliance after Implementation: No activity undertaken during Q4 2007.
VIII	Implementation of Capacity Assurance Program Plan	<p>Per Section 8 of the Global CD, MSD provides the following summary data:</p> <p>The CAPP is under review by the Government.</p> <p>Evaluation and Correction Period: No activity undertaken during Q4 2007.</p>

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### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS *(cont.)*

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
IX	Completion of Construction Deadlines	<p>Per Section 9 of the Global CD, MSD provides the following summary data:</p> <p>A. Collection of Monitoring data - No extension of deadlines during Q4 2007.</p> <p>B. Capital Costs exceed \$1.5 Billion The capital costs for the Long Term Control Plan Update and the Capacity Assurance Program Plan are expected to exceed \$1.5 billion and the schedule as shown in the Wet Weather Improvement Plan is extended.</p>
X	Post Construction Monitoring Study	<p>Per Section 10 of the Global CD, MSD provides the following summary data:</p> <p>No activity undertaken for Work Plan during Q4 2007.</p>
XI	Remedial Measures Addressing Nine Minimum Controls	<p>Per Section 11 and Exhibit 5 of the Global CD, MSD provides the following summary data:</p> <hr/> <p>A. CSO Operation and Maintenance Plan Requirement: MSD is in compliance with the current CSO Permit.</p> <hr/> <p>B. CSO Public Notification Program (Exhibit 5): Prior to Q1 2006, installed 20 CSO Public Notification signs at selected locations. Public Notification on going.</p>

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### I. MAJOR REMEDIAL MEASURES / PROGRESS STATUS *(cont.)*

Section Number	Section Name	Summary Status: 4th Quarter 2007 (10/1 – 12/31)
XI	Remedial Measures Addressing Nine Minimum Controls (cont.)	<p>C. Maximization of Transport and Storage: Final report was submitted to the Consent Decree parties on March 29, 2005. In letter dated July 7, 2006, the government parties approved the revised report of June 27, 2006. With regard to the five (5) projects included in this report:</p> <ul style="list-style-type: none"> <li>• Ross Run RTC: The inflatable dam has been installed. General construction progress is 99% and electrical work is 75% complete. Issues involving access agreements and actuator delivery are impacting the scheduled substantial completion of construction. While schedule impacts will be mitigated during the evaluation/optimization phase of the project, details of this interim schedule concern are included in Section V of this report.</li> <li>• Mitchell Ave. RTC: The inflatable dam has been purchased by MSDGC and is being fabricated for a February 2008 delivery. This action was taken to mitigate any potential problem with contractor purchase during construction. Design has been completed. Bid opening is expected in February. Issues arising during design are expected to be mitigated during the evaluation/optimization period, utilizing lessons learned from the Ross Run RTC project. Details regarding any interim schedule concerns are included in Section V of this report.</li> <li>• Badgeley Run RTC: The inflatable dam has been purchased by MSDGC and is being fabricated for a February 2008 delivery. This action was taken to mitigate any potential problem with contractor purchase during construction. Design has been completed. Bid opening is expected in February. Issues arising during design are expected to be mitigated during the evaluation/optimization period, utilizing lessons learned from the Ross Run RTC project. Details regarding any interim schedule concerns are included in Section V of this report.</li> <li>• Lick Run RTC: Design is complete and construction legislation was approved in December 2007. Bid and award activities will begin in January 2008.</li> <li>• Little Miami RTC: The design of this work is tied to Eastern and Delta Sewer Separation Phase 1 – HW/DW described previously. Design phase completion is awaiting easement acquisition. Construction legislation is expected in January 2008. Details regarding schedule concerns for the project are included in Section V of this report.</li> </ul>